
**THE
WESTERN AUSTRALIAN
ICE HOCKEY ASSOCIATION (Inc.)**

CONSTITUTION

RULES

BYLAWS

2005



CONSTITUTION

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CONSTITUTION

for

The Western Australian Ice Hockey Association Inc

1.0 NAME OF ASSOCIATION

The name of the Association is "THE WESTERN AUSTRALIAN ICE HOCKEY ASSOCIATION (INC.)" HEREINAFTER DESIGNATED "THE ASSOCIATION" Incorporated (or Inc.) Trading as ICE HOCKEY WA

2.0 DEFINITIONS

2.1 In these rules, unless the contrary intention appears -

"Committee meeting" means meeting referred to in rule 15 (1); shall refer to a council meeting as defined.

"Executive member" means person referred to in paragraph (a) of rule 10 (1);

"Council member" means person referred to in paragraph (a), (b), (c) of rule 10 (1);

"financial year" has the meaning given by Section 3 (1) of the Act, a reference in that section to -

- (a) "an incorporated association" or "the association" being construed as a reference to the Association; and
- (b) "the Council" being construed as a reference to the Council;

"general meeting" means meeting convened under rule 16;

"member" means member of the Association;

"ordinary resolution" means resolution other than a special resolution;

"special resolution" has the meaning given by Section 24 of the Act;

"senior team" has the meaning a team in the highest grade played in the Association

as referred to in rule 5 (1) (a):

"the Act" means the Associations Incorporation Act 1987;

"the Association" means the Association referred to in rule 1;

"the Chairperson" means—

- (a) in relation to the proceedings at a Council meeting or general meeting, the person presiding at the Council meeting or general meeting in accordance with rule 11; or
- (b) otherwise than in relation to the proceedings referred to in paragraph (a), the person referred to in rule 10 (1) (a) or, if that person is unable to perform his or her functions, the Vice Chairperson;

"the Council" means the Council of the Association referred to in rule 10 (1);

"the Secretary" means the Secretary referred to in rule 10 (1) (a);

"the Treasurer" means the Treasurer referred to in rule 10 (1) (a);

"the Vice-Chairperson" means the Vice-Chairperson referred to in rule 10 (1) (a).

3.0 OBJECTS OF ASSOCIATION

3.1 The Association is the peak body for the administration of Ice Hockey in Western Australia.

The objects for which the association is established and maintained are to:

- (a) Participate as a member of a single uniform entity through and by which Ice Hockey in Australia is conducted, encouraged, promoted, and administered.
- (b) Affiliate and otherwise liaise with AIHF or other strategically aligned bodies, in the pursuit of these purposes.
- (c) Provide for the encouragement, conduct, promotion, control, and administration of Ice Hockey throughout Western Australia, for the mutual and collective benefit of the Association, AIHF, the Members and Ice Hockey.
- (d) Act in good faith and loyalty to ensure the maintenance and enhancement of the Association and Ice Hockey, its standards, quality and reputation, for the collective and mutual benefit of the Members and Ice Hockey.
- (e) Promote the importance of Ice Hockey laws, standards, techniques, awards and education to bodies involved in or related to Ice Hockey.
- (f) Strive for and maintain government, commercial and public recognition of the Association as the authority for Ice hockey in Western Australia.
- (g) Pursue through itself or others, such commercial arrangements, including sponsorship and marketing opportunities, as are appropriate to further the purposes of the Association:
- (h) Further develop the Association and Ice Hockey in Western Australia into an organised institution and having regard to these purposes, to foster, regulate, organise, control, conduct and manage Ice Hockey Championships, competitions, events, displays and other activities in Western Australia.
- (i) Promote the health and safety of Ice Hockey players.
- (j) Act as arbiter on all matters pertaining to the conduct of Ice Hockey in Western Australia, including disciplinary matters.
- (k) Select and control teams or sides to represent Western Australia or the Association.

3.2 The property and income of the Association shall be applied solely towards the promotion of the objects of the Association and no part of that property or income may be paid or otherwise distributed, directly or indirectly, to members, except in good faith in the promotion of those objects.

4.0 POWERS OF ASSOCIATION

4.1 The powers conferred on the Association by Section 13 of the Act are subject to the following additions, exclusions or modifications.

Solely for furthering the objects set out above, and in addition to the rights, powers and privileges provided under the ACT, the Association has the legal capacity and powers of a natural person.

5.0 MEMBERSHIP

5.1 The Membership of the Association shall consist of:

- (a) Clubs, which subject to these rules, shall field a team in the most senior competition in the Association :
- (b) Life Members, who subject to these Rules, shall have the right to be present at council meetings, but shall have no voting rights and;
- (c) Individual Members (if applicable), who shall have no rights to be present, to debate and to vote at council meetings.
- (d) The Council may recommend to the Annual General Meeting that any natural person who has rendered distinguished service to Ice Hockey, where such service is deemed to have assisted the advancement of Ice Hockey in Western Australia be appointed as a Life Member.
- (e) A resolution of the Annual General meeting to confer life membership (subject to rule 5.1 (1) (f) on the recommendation of the committee must be a Special Resolution.
- (f) A person must accept or reject the Association's resolution to confer life membership in writing. Upon written acceptance, the person's details shall be entered upon the register, and from time of entry on the register the person shall be a Life Member.

5.2 A person who wishes to become a member shall -

- (a) apply for membership to the Council in writing -
 - (i) signed by that person
 - (ii) in such form as the Council from time to time directs

5.3 The Council members shall consider each application made under sub rule (2) at a Council meeting and shall at the Council meeting or a subsequent Council meeting accept or reject that application.

5.4 The council of the Association shall have the power to admit an ice hockey club to membership of the association by resolution of a two-thirds majority of those members of the council present and eligible to vote at a meeting of the council. In the case of a club which has previously been a member the council may decide to readmit the club subject to such penalties or conditions or both as it sees fit.

6.0 REGISTER OF MEMBERS OF ASSOCIATION

6.1 The Secretary shall on behalf of the Association keep and maintain the register of members in accordance with Section 27 of the Act and that register shall be so kept and maintained at his or her place of residence.

6.2 The Secretary shall cause the name of a person who dies or who ceases to be a member under rule 7, 8 (1) or 9 to be deleted from the register of members referred to in sub rule (1).

7.0 SUBSCRIPTIONS AND LEVIES OF MEMBERS OF ASSOCIATION

- a) The Council shall have the power to fix the amount of annual subscription of each financial year. This subscription is set in two (2) parts.
 - i) Club Annual Subscription. This fee is payable to the Association four (4) weeks prior to the start of the 'home and away' season by all clubs wishing to participate that year.
 - ii) Player Annual Subscription. This fee can be paid to the association in two (2) parts, made up of at least one half of the total WAIHA player subscription. This fee must be paid by 3 pm Friday prior to the first scheduled home and away game for that season. The final payment must be paid to the association by Friday 3 pm, four (4) weeks after the start of the 'home and away' season.
- b) The above fees must be set by the Council no later than at the February monthly Association meeting of that year. The setting of the fees may be deferred to a date no later than four (4) weeks prior to the scheduled start of the 'home and away' season, if agreed to at that said meeting. If the fees are not set by that date, the decision for the previous year will stand.
- c) In the event of any club failing to pay a subscription (inc Club or Player), fee, or charge by the date and time stipulated for each such payment, the club shall be deemed unfinancial, and as such:
 - d) i) shall not score points in any game played by the team of that club until such time as the amount owing in relation to that subscription, fee or charge is paid,
 - ii) is suspended and has no right of voting at a council meeting.
- e) The last time for payment for a club to become financial shall be 3:00 pm on each Friday to enable subsequent points to be scored or to enable that club to vote at a Council meeting held within the subsequent seven (7) days.
- f) Any subscriptions, fees, or charges, other than the Club Annual Subscription or the Player Annual Subscription, will be posted to the said Club by the means agreed to between the Association and the Club at the beginning of that year. It is the responsibility of the Club to provide notice to the Association within at least seven (7) days to amend their address.
- g) Any invoices sent to Clubs requesting payment will allow at least 7 days to pay. All terms of payment must be made by 3:00 pm Friday.
- h) All payments to the Association must be addressed to the Honorary Treasurer and be sent to the Associations Post Office box, unless other arrangements in writing, have previously been approved.

7.1 Transfer fees

- a) A transfer fee, plus the associated Transfer Form must be completed and presented to the Treasurer of the Association should a player wish to transfer from one club to another. The Association will not process the Transfer Form unless the Transfer Form is correctly completed and the correct money accompanies the application.
- b) A player cannot play for the new Club until the Transfer Form is completed and approved from the original Club.
- c) A transfer fee may not be payable if deemed by the Council that the transfer is in the best interests of Ice Hockey in general.
- d) Financial year shall be from the 16th October to 15th October in any year.

8.0 RESIGNATION OF MEMBERS OF ASSOCIATION

- 8.1 A member who delivers notice in writing of his or her resignation from the Association to the Secretary or another Council member ceases on that delivery to be a member.
- 8.2 A person who ceases to be a member under sub rule (1) remains liable to pay to the Association the amount of any subscription due and payable by that person to the Association but unpaid at the date of that cessation.

9.0 EXPULSION OF MEMBERS OF ASSOCIATION

- 9.1 If the Council considers that a member should be expelled from membership of the Association because of his or her conduct being detrimental to the interests of the Association, the Council shall communicate, either orally or in writing, to the member -

- (a) notice of the proposed expulsion and of the time, date and place of the Council meeting at which the question of that expulsion will be decided; and
- (b) particulars of that conduct,

not less than 30 days before the date of the Council meeting referred to in paragraph (a).

- 9.2 At the Council meeting referred to in a notice communicated under sub rule (1), the Council may, having afforded the member concerned a reasonable opportunity to be heard by, or to make representations in writing to, the Council, expel or decline to expel that member from membership of the Association and shall, forthwith after deciding whether or not so to expel that member, communicate that decision in writing to that member.

- 9.3 Subject to sub rule (5), a member who is expelled under sub rule (2) from membership of the Association ceases to be a member 14 days after the day on which the decision so to expel him or her is communicated to him or her under sub rule (2).

- 9.4 A member who is expelled under sub rule (2) from membership of the Association shall, if he or she wishes to appeal against that expulsion, give notice to the Secretary of his or her intention to do so within the period of 14 days referred to in sub rule (3).

- 9.5 When notice is given under sub rule (4) -

- (a) the Association in a general meeting may, after having afforded the member who gave that notice a reasonable opportunity to be heard by, or to make representations in writing to the Association in the general meeting, confirm or set aside the decision of the Council to expel that member; and
- (b) the member who gave that notice does not cease to be a member unless and until the decision of the Council to expel him or her is confirmed under this sub rule.

10.0 COUNCIL

- 10.1 The affairs of the Association shall be managed exclusively by the Council consisting of:

- (a) Chairperson / President;
Vice-Chairperson / Vice President;
Secretary;
Treasurer;
Who shall be deemed to be called the Executive

- (b) Club representatives (1 Senior and/or 1 Junior to a max of 2 per club) shall be appointed by their clubs and must be members of the Association.
- (c) Referee in Chief and Coaching Director are appointed by their peers at a meeting before the commencement of the playing season, both have a deliberate right to vote at council.
- (d) Subject to provisions in this constitution relating to the appointment of the Council / Executive members .The term of office for Council / Executive officers is 2 years.
- (e) The Council shall ensure the following initial terms for the Executive: the President and Treasurer shall be or will have been elected at a relevant Annual General Meeting for a term of two years .The Vice – President and the Secretary shall be or will have been elected at the same Annual General Meeting for a period of one year. At the second Annual General Meeting following the Vice – President and Secretary shall be elected for the term of two years .

The terms of office of the Executive will thereafter be governed by clause 10.1(d)

- 10.2 Subject to sub rule (3), a person is not eligible for election to membership of the Council unless a member has nominated him for election by delivering notice in writing of that nomination, signed by -
- (a) the nominator; and
 - (b) the nominee to signify his or her willingness to stand for election, to the Secretary not less than 30 days before the day on which the annual general meeting concerned is to be held.
- 10.3 A person who is eligible for election or re-election under this rule may at the annual general meeting concerned -
- (a) propose or second himself or herself for election or re-election; and
 - (b) vote for himself or herself.
- 10.4 The Secretary shall ensure that notice of all persons seeking election to membership of the Council is given to all members when notice is given to those members of the calling of the annual general meeting at which that election is to be held.
- 10.5 If the number of persons nominated for election to membership of the Council does not exceed the number of Vacancies in that membership to be filled -
- (a) the Secretary shall report accordingly to; and
 - (b) the Chairperson shall declare those persons to be duly elected as members of the Council at, the Annual General Meeting concerned.
- 10.6 When a casual vacancy within the meaning of rule 14 occurs in the membership of the Council:
- (a) the Council may appoint a member to fill that vacancy; and
 - (b) a member appointed under this sub rule shall -
 - (i) hold office until the commencement of; and
 - (ii) be eligible for election to membership of the Council at the next following annual general meeting.

11.0 CHAIRPERSON / PRESIDENT

11.1 Subject to this rule, the Chairperson / President shall preside at all General meetings and Council meetings.

11.2 In the event of the absence from -

- (a) a general meeting of -
 - (i) the Chairperson, the Vice-Chairperson; or
 - (ii) both the Chairperson and the Vice-Chairperson, a member elected by the other members present at the general meeting;
- (b) a Council meeting of—
 - (i) the Chairperson, the Vice-Chairperson; or
 - (ii) both the Chairperson and the Vice-Chairperson, a Council member elected by the other Council members present,

shall preside at the General meeting or Council meeting, as the case requires.

12.0 SECRETARY

12.1 The Secretary shall:

- (a) co-ordinate the correspondence of the Association;
- (b) keep full and correct minutes of the proceedings of the Council and of the Association;
- (c) comply on behalf of the Association with—
 - (i) Section 27 of the Act in respect of the register of members of the Association;
 - (ii) Section 28 of the Act in respect of the rules of the Association; and
 - (iii) Section 29 of the Act in respect of the record of the officeholders, and any trustees, of the Association;
- (d) have custody of all books, documents, records and registers of the Association, including those referred to in paragraph (c), other than those required by rule 13 to be kept and maintained by, or in the custody of the Treasurer; and
- (e) perform such other duties as are imposed by these rules on the Secretary.

13.0 TREASURER

The Treasurer shall:

- (a) be responsible for the receipt of all moneys paid to or received by, or by the Treasurer on behalf of, the Association and shall issue receipts for those moneys in the name of the Association;
- (b) pay all moneys referred to in paragraph (a) into such account or accounts of the Association as the Council may from time to time direct;
- (c) make payments from the funds of the Association with the authority of a General meeting or of the Council and in so doing ensure that all cheques are signed by two elected council members;

- (d) comply on behalf of the Association with Sections 25 and 26 of the Act in respect of the accounting records of the Association;
- (e) whenever directed to do so by the Chairperson, submit to the Council a report, balance sheet or financial statement in accordance with that direction;
- (f) have custody of all securities, books and documents of a financial nature and accounting records of the Association, including those referred to in paragraphs (d) and (e); and
- (g) perform such other duties as are imposed by these rules on the Treasurer.

14.0 CASUAL VACANCIES IN MEMBERSHIP OF THE EXECUTIVE

A casual vacancy occurs in the office of a Executive member and that office becomes vacant if the Executive member -

- (a) dies;
- (b) resigns by notice in writing delivered to the Secretary of the Association;
- (c) is convicted of an offence under the Act;
- (d) is permanently incapacitated by mental or physical ill-health;
- (e) is absent from more than -
 - (i) 3 consecutive Council meetings;
 - (ii) ceases to be a member of the Association.

15.0 PROCEEDINGS OF COUNCIL

- 15.1 The Council shall meet together for the dispatch of business not less than once in each calendar month and the Chairperson may at any time convene a meeting of the Council.
- 15.2 Each Council member has a deliberative vote.
- 15.3 A question arising at a Council meeting shall be decided by a majority of votes, but, if there is an equality of votes, the person presiding at the Council meeting shall have a casting vote in addition to his or her deliberative vote.
- 15.4 At a Council meeting five Council members constitute a quorum, of which 3 must be club representation.
- 15.5 Subject to these rules, the procedure and order of business to be followed at a Council meeting shall be determined by the Agenda.
- 15.6 A Council member having any direct or indirect pecuniary interest referred to in Section 21 or 22 of the Act shall comply with that section.

16.0 GENERAL MEETINGS

- 16.1 The Council -
 - (a) may at any time convene a special general meeting;
 - (b) shall convene annual general meetings within the time limits provided for the holding of annual general meetings by Section 23 of the Act; and
 - (c) shall, within 30 days of -

- (i) receiving a request in writing to do so from not less than 30 members, convene a special general meeting for the purpose specified in that request; or
- (ii) the Secretary receiving a notice under rule 9 (4), convene a special general meeting for the purpose of dealing with the appeal to which that notice relates.

16.2 The members making a request referred to in sub rule (1) (c) (i) shall -

- (a) state in that request the purpose for which the special general meeting concerned is required; and
- (b) sign that request.

16.3 If a special general meeting is not convened within the relevant period of 30 days referred to -

- (a) in sub rule (1) (c) (i), the members who made the request concerned may themselves convene a special general meeting as if they were the Council; or
- (b) in sub rule (1) (c) (ii), the member who gave the notice concerned may himself convene a special general meeting as if he or she were the Council.

16.4 When a special general meeting is convened under sub rule (3) (a) or (b) -

- (a) the Council shall ensure that the members or member convening the special general meeting are supplied free of charge with particulars of all members, subject to the privacy act; and
- (b) the Association shall pay the reasonable expenses of convening and holding the special general meeting.

16.5 Subject to sub rule (8), the Secretary shall give to all members not less than 7 days notice of a general meeting and of any motions to be moved at the general meeting.

16.6 A notice given under sub rule (5) shall specify -

- (a) when and where the general meeting concerned is to be held; and
- (b) particulars of the business to be transacted at the general meeting concerned and of the order in which that business is to be transacted.

16.7 In the case of an annual general meeting, the order in which business is to be transacted is—

- (a) first, the consideration of the accounts and reports of the Council;
- (b) second, the election of Council members to replace outgoing Council members; and
- (c) third, any other business requiring consideration by the Association in a general meeting.

16.8 The Secretary shall give to all members not less than 30 days notice of a general meeting at which a special resolution is to be proposed and of any other motions to be moved at that general meeting.

16.9 The Secretary may give a notice under sub rule (5) or (8) by -

- (a) serving it on a member personally; or
- (b) sending it by post to a member at the address of the member appearing in the register of members kept and maintained under Section 27 of the Act.

16.10 When a notice is sent by post under sub rule (9) (b), sending of the notice shall be deemed to be properly effected if the notice is sufficiently addressed and posted to the member concerned by ordinary prepaid mail.

17.0 QUORUM IN PROCEEDINGS AT GENERAL MEETINGS

17.1 At a general meeting 20 members present in person or by proxy constitute a quorum.

17.2 If within 30 minutes after the time specified for the holding of a general meeting in a notice given under rule 16 (5) or (8)

(a) as a result of a request or notice referred to in rule 16 (1) (c) or as a result of action taken under rule 16 (3) a quorum is not present, the general meeting lapses; or

17.3 If within 30 minutes of the time appointed by sub rule (2) for the resumption of an adjourned general meeting a quorum is not present, the members who are present in person or by proxy may nevertheless proceed with the business of that general meeting as if a quorum were present.

17.4 The Chairperson may, with the consent of a general meeting at which a quorum is present, and shall, if so directed by such a general meeting, adjourn that general meeting from time to time and from place to place.

17.5 There shall not be transacted at an adjourned general meeting any business other than business left unfinished or on the agenda at the time when the general meeting was adjourned.

17.6 At a general meeting -

(a) an ordinary resolution put to the vote shall be decided by a majority of votes cast on a show of hands; and

(b) a special resolution put to the vote shall be decided in accordance with Section 24 of the Act.

17.7 A declaration by the Chairperson at a general meeting that a resolution has been passed as an ordinary resolution thereat shall be evidence of that fact unless, during the general meeting at which the resolution is submitted, a poll is demanded in accordance with sub rule (9).

17.8 At a general meeting, a poll may be demanded by the Chairperson at the general meeting or by three or more members present in person or by proxy and, if so demanded, shall be taken in such manner as the Chairperson directs.

17.9 If a poll is demanded and taken under sub rule (8) in respect of an ordinary resolution, a declaration by the Chairperson of the result of the poll is evidence of the matter so declared.

17.10 A poll demanded under sub rule (8) on the election of a person to preside over a general meeting or on the question of an adjournment shall be taken forthwith on that demand being made.

18.0 MINUTES OF MEETINGS OF ASSOCIATION

18.1 The Secretary shall cause proper minutes of all proceedings of all general meetings and Council meetings to be taken and then to be entered within 30 days after the holding of each general meeting or Council meeting, as the case requires, in a minute book kept for that purpose.

18.2 The Chairperson shall ensure that the minutes taken of a general meeting or Council meeting under sub rule (1) are checked and signed as correct by the Chairperson of the general meeting or Council meeting to which those minutes relate or of the next succeeding general meeting or Council meeting, as the case requires.

- 18.3 When minutes have been entered and signed as correct under this rule, they shall, until the contrary is proved, be evidence that -
- (a) the general meeting or Council meeting to which they relate (in this sub rule called "the meeting") was duly convened and held;
 - (b) all proceedings recorded as having taken place at the meeting did in fact take place thereat; and
 - (c) all appointments or elections purporting to have been made at the meeting have been validly made.

19.0 VOTING RIGHTS OF MEMBERS OF ASSOCIATION

- 19.1 Subject to these rules, each member present in person or by proxy at a general meeting is entitled to a deliberative vote.

20.0 PROXIES OF MEMBERS OF ASSOCIATION

- 20.1 A member (in this rule called "the appointing member") may appoint in writing another member be the proxy of the appointing member and to attend, and vote on behalf of the appointing member at, any general meeting, the member present will only exercise the right to vote for one proxy.
- (a) all members under sixteen years of age shall be represented by a parent / guardian at General meetings to have their deliberate right to vote.

21.0 RULES OF ASSOCIATION

- 21.1 The Association may alter or rescind these rules, or make rules additional to these rules, in accordance with the procedure set out in Sections 17, 18 and 19 of the Act.
- 21.2 These rules bind every member and the Association to the same extent as if every member and the Association had signed and sealed these rules and agreed to be bound by all their provisions.
- 21.3 The Association shall have the power to make a Rule or Rules and to alter or repeal an existing Rule. The exercise of the power conferred by this Clause shall be reported fully in the Minutes of the Meeting of the Association at which it is made and shall become effective fourteen (14) days after that meeting.
- 21.4 The Association may disallow the making, alteration or repeal of a Rule at a duly constituted meeting on the motion of which due notice has been given and to the extent that it is disallowed the Rule made or the Rule repealed or the alteration of the Rules becomes void and of no effect as from the date of the Association Meeting. Provided a Rule is not inconsistent with this Constitution /Act it is binding on all members and shall be construed as part of the Constitution.

22.0 COMMON SEAL OF ASSOCIATION

- 22.1 The Association shall have a common seal on which its corporate name shall appear in legible characters.
- 22.2 The common seal of the Association shall not be used without the express authority of the Council and every use of that common seal shall be recorded in the minute book referred to in rule 18.
- 22.3 The affixing of the common seal of the Association shall be witnessed by any two of the Chairperson, the Secretary and the Treasurer.
- 22.4 The common seal of the Association shall be kept in the custody of the Secretary or of such other person as the Council from time to time decides.

23.0 INSPECTION OF RECORDS, ETC. OF ASSOCIATION

23.1 A member may at any reasonable time inspect without charge the books, documents, records and securities of the Association.

24.0 DISTRIBUTION OF SURPLUS PROPERTY ON WINDING UP OF ASSOCIATION

24.1 If upon the winding up or dissolution of the Association there remains after satisfaction of all its debts and liabilities any property whatsoever, the same shall not be paid to or distributed among the members but shall be given or transferred -

- (a) to another Association incorporated under the Act; or
- (b) for charitable purposes

which incorporated association or purposes, as the case requires shall be determined by the resolution of the members when authorising and directing the Council under Section 33 (3) of the Act to prepare a distribution plan of the surplus property of the Association.

24.2 In the event of the winding up or dissolution of the association, the Commissioner of Taxation shall be advised of the date of dissolution within 30 days of the dissolution.

25.0 BY-LAWS

The Council may also, from time to time, make alter and repeal by-laws:

- a) Regulating the use of premises by members of the Association or their individual members and the admission thereto by visitors for the purpose of playing thereon or watching the play thereon.
- b) Regulating the holding of Ice-hockey competitions and matches.
- c) Generally for the good conduct of the affairs of the Association.

The Association may disallow the making, alteration or repeal of a by-law at a duly constituted meeting on a motion of which due notice has been given and to the extent that it is disallowed the by-law becomes void and of no effect as from the date of the Council Meeting. Provided a By-Law is not inconsistent with this Constitution it is binding on all members and shall be construed as part of the Constitution. The by-laws from the previous year must be updated by the first council meeting after the Annual General Meeting.

26.0 PROTESTS AND DISPUTES TRIBUNAL

There shall be a Protest and Disputes Tribunal which is recommended to comprise of not less than three (3) members with provisions for up to ten (10) proxies for each such member provided that the hearing members shall be independent of the subject matter of the hearing.

- (a) Hear all charges, complaints, protests, disputes and appeals against players, officials, clubs and member Associations and particularly in relation to the participation in or the result of a game of ice hockey in this state.
- (b) Receive and examine all evidence and make such decisions and inflict such penalties, disqualifications and fines as they shall think fit to impose.
- (c) Hear any matter which the council may from time to time refer to the tribunal; and
- (d) Re-open and re-hear any case previously dealt with if the tribunal in its discretion shall consider such a re-hearing to be justified.

- (e) Every decision of this tribunal shall be reported to the council, which shall receive it and where applicable the council shall give effect to the decision. A record of each decision shall be kept by the secretary and recorded in the minutes of council.
- (f) Members and proxy members of the Tribunal shall be appointed by the council.
- (g) In the course of hearing any matter. The player offended against and the alleged offending player should be in attendance.
- (h) The Tribunal is empowered to adjourn a hearing as from time to time as it deems fit.

The substance of any charge, protest, dispute, complaint and the like which relate to ice hockey activities shall be delivered in writing to the office of the Secretary of the Association within forty eight (48) hours of the incident concerned. The Secretary shall advise such persons and clubs as are involved. The Tribunal shall meet to consider such reports at least twenty four (24) hours before the next scheduled match of the persons / clubs concerned.

27.0 COMMUNICATIONS

The Western Australian Ice Hockey Association Inc accepts, electronic mail (e-mail), facsimiles (faxes) and all forms of posted mail as correct documents to the Secretary and its council members, as forms of communication in and out, to and from its members.

28.0 APPOINTMENT OF PROXY ANNEXURE

See attached Document.

ANNEXURE
APPOINTMENT OF PROXY
ICE HOCKEY WA

I,.....

of

being a duly authorised member of the Association hereby appoint

.....

of

as my proxy to vote for me on my behalf at the General meeting of the Association (annual general meeting or special general meeting as the case may be) to be held on

the day of

and at any adjournment of that meeting.

My Proxy is authorised to vote in favour of / against (delete as appropriate) the resolution (insert details).

.....

.....

Signed:

Date:

Proxy Voting

Only Financial Members of IHWA shall have a vote.

All playing members are entitled to vote, including children under the age of 16 years.

Non-playing members are not entitled to vote unless they have paid the Associate membership fee of \$30.00.

Parents of playing members under the age of 16 may exercise their child's/children's vote on their behalf.

Children **do not** have to be present in order for their parents to exercise their vote.

A Member may only hold and exercise one proxy vote. (For clarity, a member parent exercising a child's vote is not exercising a proxy, and may in addition to exercising their child's vote, also hold one proxy vote).

Proxy voting forms must be completed and signed by the non attending member

Payments will not be accepted at the meeting.



OFFICE BEARERS NOMINATION FORM FOR

**Nominations to be submitted to the office of
Ice Hockey WA ,
42 Counsel Road
Coolbellup 6163
in writing by C.O.B 5.00pm on the**

I, _____

Wish to nominate _____

For the position of _____

Signed By Nominee _____

Signed by Secunder _____

Signed by Person Nominated _____

NB: Please note that only full financial members of Ice Hockey WA (WAIHA Inc) can Nominate / Vote or be Nominated for any position at the AGM.